

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

MAY 04 2018

Clerk, U.S. Courts
District Of Montana
Missoula Division

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSHUA JAMES MCCORMICK,

Defendant.

CR 13-11-M-DLC-3

ORDER

Before the Court is Defendant Joshua James McCormick's ("McCormick") Motion to Terminate Probation (Doc. 140). On September 11, 2013, McCormick was sentenced to five years' probation in this case after pleading guilty to Possession of Stolen Firearms in violation of 18 U.S.C. § 922(j). (Doc. 89 at 1-2.) McCormick's five-year probationary sentence will terminate on September 11, 2018. (Doc. 141 at 2.) Sann requests that his probation be terminated early. The United States does not oppose this Motion. (Doc. 140 at 1.)

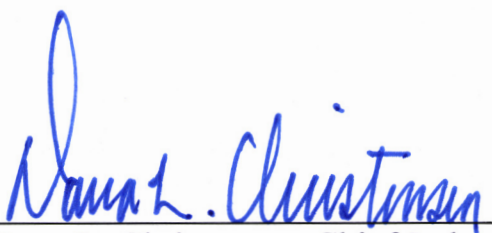
Federal law provides that a court may "terminate a term of probation previously ordered and discharge the defendant" if the court is satisfied that such action "is warranted by the conduct of the defendant and the interest of justice" and the defendant has completed at least one year of probation in the case of a felony.

18 U.S.C. § 3564(c). Courts should consider a subset of the factors set forth in 18 U.S.C. § 3553(a) to determine whether termination of a term of probation is appropriate. *Id.*

In light of the referenced subset of section 3553(a) factors, specifically including the nature and circumstances of the offense, defendant's history and characteristics, and success of probation to date, the Court finds that McCormick has shown that early termination of probation is justified. McCormick has served more than one year of probation and the interests of justice and judicial economy weigh in favor of terminating the remaining time. McCormick has satisfactorily complied with the conditions of his probation. Accordingly,

IT IS ORDERED that McCormick's Motion to Terminate Probation (Doc. 140) is GRANTED. The term of probation imposed by this Court on September 11, 2013, is hereby DISCHARGED.

DATED this 4th day of May, 2018.



Dana L. Christensen, Chief Judge
United States District Court